

Serial No. 09/815,913 ..... Page 5

**REMARKS**

Claims 1-21 remain in the application. Claim 11 is amended to depend from claim 1, since the limitations of the two claims are identical. Claim 21 is amended to depend from claim 20, and not claim 19.

Claims 1-21 are subject to restriction under 35 USC 121 as follows:

- Group I: Claims 1-10 (lithographic method);
- Group II: Claim 11 (device);
- Group III: Claims 12-19 (lithographic system); and
- Group IV: Claims 20-21 (lithographic system)

Applicants hereby elect to prosecute the Group I set of claims (Claims 1-10), with traverse.

Claim 11 has been amended to depend from Claim 1, thereby obviating that portion of the restriction requirement. The only limitation in claim 11 is the same process step as claim 1, and, perforce, any search for claim 11 must include the same search parameters as claim 1.

The Examiner further contends that this application contains claims directed to two distinct species, namely, (1) alignment based upon detection of a tunneling current and (2) alignment based upon detecting an interacting force between a scanning probe and an alignment mark, the latter species being generating to a plurality of distinct species, namely, atomic force, electrostatic force, and magnetic force. The Examiner requires election of a single disclosed species for prosecution on the merits under 35 USC 121. The Examiner further requires a listing of all claims readable on the elected species.

Applicant hereby elects the species of item (1), namely, the alignment based upon detection of a tunneling current. Within the Group I set of claims, the claims readable on this species are claims 1, 2, and 4-10, along with claim 11 of Group II (now in Group I). Applicant understands that upon allowance of a generic claim (claim 1 is generic), Applicant will be entitled to consideration of claims directed to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim (37 CFR 1.141).

The Examiner objects to the specification because of an informality, namely, the Examiner requests clarification or further explanation as to the meaning of the last sentence of the 5<sup>th</sup> paragraph on page 3 (lines 21-22).

The fifth paragraph states (the last line being bolded for emphasis):

Serial No. 09/815,913 ..... Page 6

"The aligned mold preferably is urged into a film that is disposed on the substrate to transfer a relief pattern to the film. **The thinned regions of the transferred relief pattern may be exposed (e.g., by etching).**"

The fifth paragraph merely summarizes that portion of the process shown in FIGS. 5C-5D, as discussed on page 8, lines 10-22:

"As shown in FIG. 5C, after the patterned mold 62 has been aligned, scanning probes 68 retract and mold 62 is urged into the film 6 at a molding pressure that is sufficient to transfer a relief pattern to the film 6 (step 88; FIG. 4). During this compressive molding step, the film 6 may be heated to a temperature at which the film 6 is sufficiently softened relative to the hardness of the mold 62 so that the film 6 may conform to the protruding features of the mold 62. For example, in one embodiment, the film 6 may be heated to a temperature that is at or above the glass transition temperature of the film 6.

"Referring to FIG. 5D, after the relief pattern has been transferred to the film 6, the mold 62 is removed from the film 6 (step 90; FIG. 4). The patterned film 6 then may be further processed (step 92; FIG. 4). For example, in one embodiment, thinned regions 18 of the patterned film 6 may be removed (e.g., by etching) to expose underlying regions 94 of the bottom layer (or the substrate)."

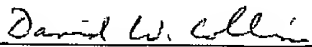
In view of the foregoing further detailed explanation of the objected-to portion of the specification, in the event that the Examiner still objects to this portion, he is respectfully requested to be more specific in what exactly requires further clarification or explanation.

The application is considered to be in condition for allowance. The Examiner is respectfully requested to take such action. If the Examiner has any questions, he is invited to contact the undersigned at the below-listed telephone number. **HOWEVER, ALL WRITTEN COMMUNICATIONS SHOULD CONTINUE TO BE DIRECTED TO: IP ADMINISTRATION, LEGAL DEPARTMENT, M/S 35, HEWLETT-PACKARD COMPANY, P.O. BOX 272400, FORT COLLINS, CO 80527-2400.**

Serial No. 09/815,913 ..... Page 7

Respectfully submitted,

December 23, 2003

  
David W. Collins  
Reg. No. 26,857  
Attorney for Applicants

75 West Calle de las Tiendas  
Suite 125B  
Green Valley, AZ 85614

Telephone calls may be made to:  
(520) 399-3203